

REMARKS

INTRODUCTION

In accordance with the foregoing claims 2-3 and 5-23 have been amended, and claims 1 and 4 have been canceled, without prejudice or disclaimer.

Claims 2-3 and 5-23 are pending and under consideration.

DOUBLE PATENTING REJECTIONS

Claims 1-7 and 12-16 stand rejected under 35 USC 101 as claiming the same invention as claims 1-7 and 11-15 of U.S. Patent No. 6,585,420. Similarly, claims 8-11 and 17-23 stand rejected under the judicially created doctrine of obviousness-type double patenting as being obvious over claims 8-10 and 23-25 of U.S. Patent No. 6,585,420.

In view of the above amendments and the concurrently filed Terminal Disclaimer, it is respectfully submitted that the outstanding rejections are now moot.

Claims 8 and 11 have been amended to include the features of canceled claims 1 and 4, and have been amended into independent form. Similarly, claims 17 and 23 have been amended to replace the language in their respective preambles, referencing canceled independent claim 1, with features of canceled independent claim 1, in independent form.

Therefore, in view of at least the above, it is respectfully requested that this rejection be withdrawn and the pending claims be allowed.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

For the Examiner's information, a Power of Attorney By Assignee of Entire Interest and Revocation of Prior Powers was filed on November 19, 2003, for this application. This Power is to the undersigned attorney and members of Staas & Halsey LLP under USPTO Customer No. 21,171. Please address all further communications therefore to the below address and attorney.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

November 25, 2003

By:

David M. Pitcher
David M. Pitcher
Registration No. 25,908

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on NOVEMBER 25, 20 03
STAAS & HALSEY
By: SVETLANA B. HOGA
Date: 11/25/03